

REMARKS

Please reconsider the application in view of the above amendments and the following remarks. Applicant thanks the Examiner for carefully considering this application.

I. Disposition of Claims

Claims 1-19, 21-30, and 54-60 were pending in this application. Claims 1-4, 21-46, and 61-65 have been cancelled by this reply. Currently, claims 5, 6, 17-19, and 54-60 are pending in this application. Claims 5, 17, and 19 are independent. The remaining claims depend, directly or indirectly, from claims 5 and 17.

II. Rejection(s) under 35 U.S.C § 112

Second Paragraph

Claims 1-4, 6-18, 21-30, and 54-60 were rejected under 35 U.S.C. § 112, second paragraph as being indefinite. Claims 1-4, 7-16, and 21-30 have been cancelled in this reply. Thus, this rejection is now moot with respect to these claims. Claims 6, 17, 18, and 54-60 have been amended in this reply to clarify the present invention recited. To the extent that this rejection may still apply to the amended claims, the rejection is respectfully traversed.

With respect to claim 6 and 54-60, the usage of the article “a” has been amended to “the.” With respect to claim 17, claim 17 has been amended to recite “the data having a plurality of sets of access rights being assigned thereto,” thereby clearly indicating that the plurality of sets of that are assigned to the data. Further, claim 17 has been amended

to recite “and an identifier for each party being stored in the receiver/decoders,” thereby indicating that the identifier is associated with each party that is stored in the receiver/decoder. Claims 6, 17, 54-60 have been amended to clarify the present invention. Accordingly, withdrawal of this rejection with respect to these claims and claims depending therefrom is respectfully requested.

First Paragraph

Claims 29 and 30 were rejected under 35 U.S.C. §112, first paragraph, for being directed to a single means. Claims 29 and 30 have been cancelled rendering this rejection moot.

III. Rejection(s) under 35 U.S.C § 102

Goertzel

Claims 1, 5, 17 and 19 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,308,273 issued to Goertzel (hereinafter “Goertzel”).

Claim 1 has been cancelled in this reply. Thus, this rejection is now moot with respect to claim 1.

With respect to the remaining claims, this rejection is respectfully traversed. The assignee of the entire right has requested herewith to take action in the prosecution of this application and has established its right to do so. Further, the assignee submits a declaration on behalf of the inventors, which establishes conception of the present invention prior to the §102(e) date of Goertzel, *i.e.*, June 12, 1998. Further, the declaration establishes due diligence prior to the §102(e) date of Goertzel until the filing date of the present application. Please find the declaration and exhibits attached. In view

of the declaration, Goertzel has been antedated. Thus, Goertzel has been removed as a valid prior art reference. Accordingly, withdrawal of this rejection is respectfully requested with respect to claims 5, 17, and 19.

Windows NT

Claims 21 and 22 were rejected under 35 U.S.C. §102(b) as being anticipated by Windows NT. Claims 21 and 22 have been cancelled in this reply, rendering this rejection moot.

IV. Rejection(s) under 35 U.S.C § 103

Goertzel

Claims 2-4, 6, 10-15, 57-60 were rejected under 35 U.S.C. § 103(a) as being obvious over Goertzel in view of common practice in the art.

Claims 2-4 and 10-15 have been cancelled in this reply. Thus, this rejection is now moot with respect to these claims.

With respect to the remaining claims, this rejection is respectfully traversed. Goertzel has been antedated and removed as a valid prior art reference by the declaration of the assignee noted above. Accordingly, withdrawal of the §103 rejection is respectfully requested with respect to claims 6 and 57-60.

Windows NT

Claims 23-28 were rejected under 35 U.S.C. §103(a) as being obvious over Windows NT in view of common practice in the art. Claims 23-28 have been cancelled in this reply, rendering this rejection moot.

V. Conclusion

The above amendments and remarks are believed to require no further prior art search. Also, Applicant believes that this reply is responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 11345.031001).

Respectfully submitted,

Date: _____

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